

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14009 of 2023

1. Sanjiv Das @ Sanjay Das S/o Anvat Das Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.
2. Sita Devi W/o Sanjiv Das, Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.
3. Bachu Das S/o Anvat Das Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.
4. Madhuri Devi W/o Bachu Das Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.
5. Mahant Das S/o Phuldev Das Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.
6. Reena Devi W/o Mahant Das Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.
7. Madan Das S/o Late Ramnand Das Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.
8. Lakhraji Devi W/o Madan Das Resident of Village-Madhapur, Ward No. 8, PO-Madhapur, PS-Majhauria, District-West Champaran, Bihar-845454.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Co-operative Department, Govt. of Bihar, 2nd Floor, Vikash Bhawan, New Secretariat, Patna, 800015.
2. The Registrar Co-operative Societies, Bihar, Patna, 2nd Floor, Vikash Bhawan, New Secretariat, Patna, 800015.
3. District Magistrate, West Champaran-Bettiah
4. Joint Registrar Co-operative Societies, Tirhut Division, Muzaffarpur.
5. Deputy Development Commissioner, West Champaran, Bettiah
6. Assistant Registrar Co-operative Societies, Bettiah Anchal, Bettiah.
7. District Cooperative Officer, District West Champaran.
8. Joint Registrar (Audit) Co-operative Societies, Bihar, Patna.
9. Block Cooperative Extension Officer, Majhauria, District-West Champaran.
10. Block Cooperative Extension Officer, (Heasquarter), District-West Champaran.
11. Madhopur Primary Agriculture Credit Co-operative Society (PACS),

Madhopur, Block Majhaulia, District-West Champaran.

- 12. Manoj Kumar Sri Chandrika Prasad Singh R/o-Madhopur, Babu Tota, PO-Madhopur, Ps-Majhaulia, District-West Champaran. (Present Adhyaksh of Madhopur PACS)
- 13. Sathughan Singh S/o Late Baidhnath Singh R/o-Madhopur, Babu Tota, PO-Madhopur, Ps-Majhaulia, District-West Champaran. (Ex. Adhyaksh of Madhopur PACS)
- 14. Ram Sevak Singh S/o Late Sitaram Singh R/o-Rampurva, PO-Vrindavan, PS-Chanpatia, District-West Champaran. (Ex. Manager of Madhopur PACS)
- 15. Rahul Kumar S/o Late Madan Mahto R/o-Madhopur, Babu Tota, PO-Madhopur, Ps-Majhaulia, District-West Champaran. (Present Manager of Madhopur PACS)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Shekhar, Advocate
: Mr. K.K. Sinha, Advocate
For the Respondent/s : Mr. Uday Shankar Singh, GP 19

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 05-02-2024 Heard Mr. Shashi Shekhar, along with Mr. K.K. Sinha, learned Counsels appearing on behalf of the petitioners and Mr. Uday Shankar Sharan Singh, learned GP 19 appearing on behalf of the State.

2. Petitioners have filed the writ petition for following reliefs:-

- “(i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of mandamus commanding and directing upon the concerned respondent no.13 and 14 to refund a sum of Rs.1100000,00/- (Rs.11 crores) to the depositors includingthe petitioner’s who have deposited in the MadhopurPrimary Agriculture Credit Society Bank (PACS in short)within Manjhauliya Block of District-West Champaran.
- (ii) To direct the respondent no.1 to 8 to take appropriate legal action against the concerned respondents who illegally withdrawn and misappropriate the money of depositors who have deposited money in their respective

account.

(iii) To direct the respondent No.1 to 8 to lodge first information report against the concerned respondents No.13 and 14 and investigate the case by Vigilance Department constituting Special investigation Team S.I.T. (in short) who have committed financial irregularities defalcation and misused the public fund.

(iv) To any other reliefs to which the petitioner may be found entitled in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of petitioners submits that the petitioners seek to file detailed representation before the Administrator or the Chairman of the Co-operative Primary Agriculture Credit Society for refund of the amount deposited by them, considering the fact that with respect to 122 depositors, the amount has been disbursed by the Administrator for facilitating the payment.

4. Learned counsel appearing on behalf of the State submits that petitioners may file detailed representation alongwith their claim to which they are entitled to before the Chairman of the Co-operative Society concern.

5. The Administrator will ensure to disburse the amount along with the statutory interest, which the petitioners are entitled to within a period of six weeks from the date of filing of representation.

6. Mr. Uday Shankar Singh, learned GP-19 has informed that in the present case FIR has already been lodged against concerned respondent.

7. With the aforesaid direction/observation, the present writ petition stands disposed of.

(Purnendu Singh, J.)

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